

City Council Chamber, City Hall, Tuesday, August 10, 2004

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, August 10, 2004, Mayor Bill White presiding and with Council Members Toni Lawrence, Carol M. Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman, M. J. Khan, Pam Holm, Adrian Garcia, Carol Alvarado, Mark Ellis, Gordon Quan, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Robert Cheatham, Division Chief, General Counsel Division, Legal Department; Mr. Richard Cantu, Director Mayor's Citizens Assistance Office; Ms. Marty Stein, Agenda Director present.

At 1:49 p.m. Mayor Pro Tem Alvarado stated that Council would begin with presentations and called on Council Member Lawrence. Council Member Lawrence stated that today they were making a presentation to K B Homes who truly partnered with the community; that they had been in Houston six years and risen to the number one homebuilder in Harris County and invited the representatives with K B Homes to the podium. Council Member Lawrence stated that active civic involvement by dedicated citizens greatly enhanced the quality of life to all Houstonians and presented a Proclamation to Ms. Pam Crawford for K B Homes assisting an elderly resident in District A to get their roof replaced, commended them for their outstanding efforts, wished continued success and proclaimed August 10, 2004, as "Pam Crawford K. B. Homes Day, in Houston, Texas. Ms. Crawford stated that she appreciated the Proclamation but wanted to recognize Mr. David Benson, their customer service manager who without him this would not have been possible. Mayor White, Council Members Galloway, Edwards, Wiseman, Khan, Holm, Quan, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Goldberg stated that he was on the board of directors for the American Red Cross, Houston Area and they had a change recently and called on Mr. Davis Henderson the new chief executive officer and chair of the board, Mr. Tom Standish to the podium. Council Member Goldberg presented Mr. Henderson a Proclamation for being named the new chief executive officer of the Greater Houston Area Chapter of the American Red Cross which had served the community for over 80 years providing relief to countless disaster victims and proclaimed August 10, 2004, as "Davis Henderson Day", in Houston, Texas. Mr. Henderson stated on behalf of the board of directors, members and volunteers of the American Red Cross he thanked all, it was a special day. Mayor White, Council Members Holm, Quan and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Garcia congratulated Mr. Henderson for being a part of a great organization and stated that he looked forward to working with him. Mayor White, Council Members Holm, Quan and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Alvarado stated that every year they recognized the Mayor's Committee for Employment of People with Disabilities and today they were back awarding scholarships to disabled students which out of the fifteen students seven were present and invited those present to the podium. Council Member Alvarado invited Ms. Lillian Villarreal, who was on the committee, to speak; and Ms. Villarreal stated that they were representing the Houston Mayor's Committee for Employment of People with Disabilities and was an all volunteer organization which relied on sponsorship and named their sponsors thanking them and stating it could not be done without them and their volunteers. Council Members Goldberg, Holm and Berry absent.

Mayor White stated that today someone wanted to make a presentation to him regarding Houston architecture and invited Mr. Valentin and Ms. Joyce Gertsman to the podium. Mr. Valentin stated that it was a great honor to meet Mayor White at a party where he mentioned his book; that he came from Russia to Houston 30 years ago and loved it and was inspired to photograph it and presented his book "Houston Architectural Ballade" to Mayor White. Mayor White stated that he wanted him to come to Council because when someone did something so great to celebrate the City of Houston which was beautiful and elegant filled with people of hope

it told a message of Houston; and thanked him for coming and joining Council. Council Members Goldberg, Holm and Berry absent.

At 2:11 p.m. Mayor White called the meeting to order and called on Council Member Goldberg to lead in prayer and pledge. Council Member Goldberg called on Rabbi Brian Strauss, the Associate Rabbi of Beth Yeshurun Synagogue, who led all in prayer and Council Member Goldberg led in the pledge of allegiance. Council Member Berry absent.

At 2:08 p.m. the City Secretary called the roll. Council Member Berry absent.

Council Members Alvarado and Khan moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Berry absent. MOTION ADOPTED.

Council Member Alvarado moved that the rules be suspended for the purpose of hearing from Mr. Richard Vela, Ms. Mary Almendarez, Mr. Manuel Padilla and Ms. Rosemary Covalt after Mr. Simon William, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0887 ADOPTED.

Council Member Galloway moved that the rules be suspended for the purpose of hearing from Mr. Jarvis Johnson as the first speaker, seconded by Council Member Khan. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0888 ADOPTED.

Mr. Jarvis Johnson, 2606 Gregg, Houston, Texas 77066 (713-225-2221) appeared and stated that the Phoenix Outreach Center had been a beacon of light for the past 23 years reaching out to over 1,000 children teaching ballet to basketball and helped adults with training and finding affordable housing; that summer trips opened their minds and they had learned how to believe; that across the street at 2525 Gregg was the Deluxe Motel and an eyesore and had incubated much of what was wrong in their community hosting everything from murder to drugs and prostitution; that they spent much time attempting to force out that activity just to be told it was in the Legal Department and that was why they were all confused that no one could find one reason to close the motel and yet the Fire Marshall had chosen to close their center; and they were asking the City to stand up for their children and keep their center open while closing the motel. Council Members Alvarado and Berry absent.

Council Member Galloway stated that she shared his sentiments on the motel and forwarded a letter to the correct department checking on the accusation that the motel had violations; that she also checked on his center and a report came from the senior inspector and the Phoenix Outreach had operated many years under a residence occupancy, they had no commercial occupancy permit; that in 2001 he attempted to obtain a commercial occupancy and failed on different occasions to correct violations such as no proper fire extinguishers, no emergency lights for exiting in case of power failure, etc., that if children were in and a fire started and there was no way for them to get out, the Fire Code was there for a reason, it was for people's safety; and the establishment was closed because they could not meet those requirements; and Mr. Johnson stated that in his hands were permits he received from the city that when the building was built in 1998 it was platted as a daycare and built to look like a home because they wanted it to be a home for the children in concept and theory; that they were given a fire permit because they had all they needed through the Texas Department of Regulatory Services, but on this year they did not get it and it was brought to their attention they needed an occupancy permit though before he was told all they needed was a fire permit. Council Member Garcia absent.

Council Member Edwards stated that she would follow the lead of his District Council Member, but again this was an instance where she found it amazing that they could not get hotels closed when they were actively hosting prostitution or bars closed when they were two feet away from churches but for a group working for over 20 years in the community, they could find a way to close them; and she would encourage whatever could be done to do so; and

Mayor White stated that he agreed and because this citizen brought this before them, the motel operator better fix things pretty quick because inspectors were on their way; that people did not want the cheap motels or cantinas in their neighborhoods and that was something they needed to think about with Legal and Planning and Mr. Walsh was working with him now and if a Charter amendment was needed to ban them from neighborhoods then they should pay attention to that. Council Member Edwards stated that obviously they had the Codes to close them so why didn't they pay attention to that; and Mayor White stated that he agreed and they should probably do more than just go to court. Council Member Galloway stated that she wanted a report on how many crimes were at that motel because they could be closed as a nuisance; and Mayor White stated that Mr. Johnson should give his information to Mr. Cantu. Council Members Lawrence, Wiseman and Garcia absent.

Council Member Quan stated that he had the same sentiments as his colleagues; and upon questions, Mr. Johnson stated that they never knew they needed that permit and they were asking for a moratorium allowing them to stay open while correcting what was needed as they had everything needed by the state and they were needed by the children; and Council Member Quan stated that he would be glad to help him in anyway he could and would follow-up afterwards. Council Members Lawrence, Wiseman, Garcia and Alvarado absent.

Upon questions by Council Member Green, Mr. Johnson stated that the children who depended on them had nothing at this time; that they were receiving funds and were looking for no other funds from the city but were looking for a moratorium on the building while showing good faith they were working toward corrections, some type of temporary occupancy. Council Members Lawrence, Wiseman, Garcia and Alvarado absent.

Mayor White stated that as he understood Mr. Johnson had some dealings with folks from the After School Program; and upon questions, Mr. Johnson stated that there was investigation on whether some families were charged and he understood there were restrictions on charging families; that no one contacted him they were being investigated, but regarding parents being charged they had supplied Mr. John Bales a letter sent to all parents where they themselves were receiving scholarships during that time. Council Members Lawrence, Wiseman and Garcia absent.

Ms. Brittani Barriere, 4717 Woolworth, Houston, Texas 77026 (713-674-1077) appeared and asked all the youth present with the center to stand to be recognized and stated that she was a product of the Center and was present asking that it be reopened; that because of the Center she had the courage, drive and means to attend college; that the Center had positive role models and without the Phoenix Outreach Center children would not have help with school work or a place to go. Council Members Lawrence and Garcia absent.

Ms. Shiarnice Taylor, 4710 Woolworth, Houston, Texas 77026 (713-674-1077) appeared and stated that she was about fifteen now and had been with the Center since she was six; that when she started going it was a place to escape violence and she and others were lucky to participate at Phoenix as they learned about the Bible, math, reading, etc., that she thanked God for them and it brought great sadness for it to close as many would miss out. Council Members Lawrence and Garcia absent.

Mayor White stated that they wanted to work as a team with the folks who represented the citizens of this community in Austin and State Rep. Kevin Bailey was present and they appreciated him being present. Council Members Lawrence and Garcia absent.

Ms. Dominique Barriere, 4717 Woolworth, Houston, Texas 77026 (713-831-3135) appeared and stated that they needed support to keep the Phoenix Outreach Center open; that a motel across from them was unable to be closed, but their Center was. Council Members Lawrence, Goldberg, Holm and Ellis absent.

Ms. Iris William, 2212 Kirk, Houston, Texas 77026 (713-676-2651) appeared with her son and stated that she was a parent of a child at the Phoenix Outreach Center and they did not just give parents a place to leave children but supplied extra, they went beyond what was needed and displayed an article in the Houston Chronicle which she stated was an outstanding story on the Center; that her son had special needs and that Center provided those needs; that they were asking for temporary occupancy; that they wanted a specific person in the electrical area and in all areas they needed assigned to them so they could expedite the process and list of what was going on around the Center be taken care of. Council Members Lawrence, Goldberg, Holm and Ellis absent.

Mr. Simon William, 2212 Kirk, Houston, Texas 77026 (713-676-2651) had appeared with his mother, Ms. Iris William. Council Members Lawrence, Goldberg, Holm and Ellis absent.

Council Member Garcia stated that Boy Scout Troop 1138 was present and asked that they stand to be recognized. Council Members Lawrence, Goldberg, Holm and Ellis absent.

Mr. Richard Vela, 4039 Enby, Houston, Texas 77087 (713-645-7109) appeared and stated that early in the Mayor's Administration he called for an end to the open ended construction contract at the Houston Airport System and they thanked him, there was no justification to allow contractors to set their own schedules and disregard approved plans on City projects; that he was a victim of retaliation for expressing the same concerns as he was removed from his position of electrical superintendent at William P. Hobby Airport for doing his job; that the concourse had a compromised electrical system, a roof that leaked and multiple maintenance problems; that he was requesting a meeting so he could inform the Mayor of matters that were of deep concern to him involving actions of a few within the airport system; that he witnessed disparity treatment toward employees, denial of promotion and opportunities, etc., by upper management. Council Members Galloway, Goldberg, Holm, Garcia and Ellis absent.

Ms. Mary Almendarez, 608 Joyce, Houston, Texas 77009 (713-699-9716) appeared and stated that she was president of LULAC Council 402, the Education Council and one of over 35 Councils in District H and invited the Mayor and Council to their annual scholarship reception, Wednesday, August 18, 2004, at the University Club from 6:00 p.m. to 8:00 p.m. when they would present scholarships to over 22 students. Ms. Almendarez further stated that City of Houston airport employees were subjected to numerous discriminatory actions including unwarranted terminations, biased reviews, etc., and urged that action be taken to correct wrongs with the Aviation Airport System. Council Members Galloway, Goldberg and Ellis absent.

Council Member Garcia stated that the issue of unfair hiring practices and unfair disciplinary actions was an issue which plagued them at several different levels; and upon questions, Ms. Almendarez stated that people were stuck in a system which repeatedly had not paid attention to minor infractions; that there was hostility, harassment and a history of problems within that department and it needed to be cleaned up. Council Members Lawrence, Galloway, Goldberg, Edwards, Ellis and Quan absent.

Council Member Alvarado stated that she appreciated the work Ms. Almendarez and many others in LULAC did on behalf of the community; that these issues did not just start they went back a couple of years and she was familiar with Mr. Vela's situation and they took that all the way to the top and were not able to get him reinstated; that Council Members often received complaints from various departments, but when you heard it over and over from the same department over a period of time there must be some validity there and warranted serious investigation from the Administration and she hoped the Mayor's Office was open to it; and Mayor White stated he had a report recently placed on his desk and he did try to read all mail from employees and look for patterns and he let directors know at a minimum; that they would place on the Agenda some recommendations by the Human Resource Department; that they needed more employee surveys on departments and those they worked for. Council Members

Galloway, Goldberg, Wiseman and Ellis absent.

Mr. Manuel Padilla, 5011 Sitca, Spring, Texas 77389 (281-355-8480) appeared and spoke in Spanish stating that he worked for the City of Houston for 12 years and was asked to do jobs he was not trained for; that he had worked at Intercontinental Airport. Council Members Goldberg, Wiseman, Holm and Ellis absent.

Council Member Garcia stated that Mr. Padilla basically said he worked 12 years for Aviation and was subjected to much discrimination; that it sounded as if there was much unprofessional treatment of employees, he indicated he would be pulled out of employee meetings to go handle jobs out of his job description and then be chastised for not handling the job. Council Members Goldberg, Wiseman, Holm, Ellis and Green absent.

Council Member Khan stated that he would like to know if they could take the issue up at one of the Council committees, maybe Council Member Berry at the Transportation Committee, but he would like it where people could come forward and testify and then maybe they could get recommendations for the Administration; and Mayor White thanked him for the suggestion and stated that they would try and think of an appropriate way to handle it; that he did read all and listen to some complaints and he found in his experience that complaints of all nature were greater if there was a workplace that did not seem to have a sense of mission and pride and when you did have that a lot of other issues seemed to go away; and he felt they should look at surveys from employees in an objective basis and he would take responsibility to have leaders in departments who were leaders of people; and all department heads were told that was their principal mission. Council Members Goldberg, Wiseman, Holm, Garcia and Ellis absent.

Council Member Alvarado stated that this was also a labor issue; that Mr. Padilla was asked to do work with some of it sounding as if it were much more extensive than what he did and without the right training if something went wrong he was blamed and it could also turn into a safety issue. Council Members Goldberg, Wiseman, Holm, Garcia and Ellis absent.

Upon questions by Council Member Edwards, Mr. Padilla stated that he was a member of the Carpenter's Union and worked at Intercontinental Airport. Council Member Edwards stated that every department needed good staff, good work in human relations but especially at the airport and that was one of the few places they could not afford to have disgruntled employees and it sounded like something they should be mindful of and help get settled; that she personally would not want disgruntled employees working at the airport; and Mayor White stated that he understood her point of view. Council Members Goldberg, Wiseman, Holm, Garcia and Ellis absent.

Ms. Rosemary Covalt, 10622 Riverview, Houston, Texas 77042 (713-972-1865) appeared and stated that she was the issues and media chairperson of LULAC Council 402 and present supporting the request for a meeting with Mr. Vacar and the Mayor's Office; that employees had real concerns and they believed many allegations had merit; and they would like a commitment from Council to try and address the concerns in a positive way. Council Members Goldberg, Garcia and Ellis absent.

Mayor White stated that he had confidence in employees from the lowest classification to the top and the alternative to that would be to talk behind someone's back or to terminate them as a leader of an organization; that everyday he received counseling from those at the table on how to do his job better and he appreciated them and so he assumed Mr. Vacar appreciated the counseling he gave him a few months ago when he highlighted the importance of issues they were talking about and on having good moral in the workplace and good dialogue with people from different backgrounds and pointed out that in his mail there had been a pattern he had seen with a number of Latino people who believed they were not part of the right group, that they were discriminated against; that he had not checked on what actions were taken but they could not interfere with Civil Service process or a management decision of employees, but he

wanted them to know they had not been ignored. Council Members Garcia and Ellis absent.

Ms. Deborah Elaine Allen, 1122 Sol, Houston, Texas 77029 (713-649-8358) had reserved time to speak but was not present when her name was called. Council Members Garcia and Ellis absent.

Mr. Thomas Bell, 8415 Canyon, Houston, Texas 77051 (713-291-8442) appeared and stated that the Home Community Development Corporation sent him a letter stating they were interested in purchasing his property but if he wished to keep it he should maintain it and it was from a church group on Southview; that he brought another letter with him from a pastor next door who states his property was maintained; that he was in accordance with rules of ordinances, but the letter was threatening and he wondered what could be done. Council Members Wiseman, Garcia and Ellis absent.

Upon questions by Council Member Edwards, Mr. Bell stated that the property was in Sunnyside and the letter came from the church; that they were using names like the Council, the City of Houston and he wanted them to be aware their names were being used unscrupulously; and Council Member Edwards stated that maybe the Legal Department should see it. Council Members Wiseman, Garcia and Ellis absent.

Mayor White stated that he followed what he was saying and thanked him for bringing the letter and asked that he give it to Mr. Cantu who would make copies for Council Members. Council Members Galloway, Wiseman, Garcia and Ellis absent.

Council Member Goldberg moved that the rules be suspended for the purpose of hearing Ms. Joyce Ross, Mr. Jerry Brady, Mrs. Wini Brady and Mr. J. W. Messeh out of order, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Galloway, Garcia and Ellis absent. MOTION 2004-0889 ADOPTED.

Council Member Wiseman stated that as a point of personal privilege she wanted to introduce the children joining them today as a part of the Summer Page Program which were Cheska Killian, Samantha Huffy, Fallon Smiley, Allison Nauert, Katie Britton, Tawny Metins, Madelyn Green and Kelby Ricks and asked them to stand to be recognized. Council Members Galloway, Garcia and Ellis absent.

Ms. Flossie Lewis, 6821 Driftwood, Houston, Texas 77021 (713-748-0332) appeared and stated that she was very excited when she heard they would get the You Call We Haul Program, but it was taken away and that was a tool they could have used and she was trying to get help. Council Members Galloway, Garcia and Ellis absent.

Council Member Edwards stated that she wanted to support Ms. Lewis in her request; that if they did not have a You Call We Haul Program for the whole city she would like to work aggressively with Neighborhood Protection and Solid Waste as there were some horrible sites and whatever could be done would be appreciated; and Mayor White stated that they wanted to do what the community wanted to do and he was thinking right now the vehicles in Solid Waste were so broken down they were behind in even scheduled pickup and cost in repairs exceeded the cost of the vehicle; that he felt they needed the regular program along with the You Call We Haul and he was not sure it could be one or the other, but they did need new equipment and if they could have the best of both worlds in her neighborhood they were working on it. Council Members Galloway, Khan, Holm and Garcia absent.

Ms. Joyce Ross, 11019 Cora, Houston, Texas 77088 (281-216-0517) appeared and stated that it had come to their attention the idea of an airport super shuttle had come up again by Yellow Cab; that it was not a good idea when it came up before and it still was not a good idea; that the cab business right now was stiff and hard to make a living; that the super shuttle wanted to set a booth inside and limos were already in the terminal along with shuttle service

and cabs were not allowed which put them at a large disadvantage. Council Members Galloway, Khan, Holm and Garcia absent.

Mr. Jerry Brady, 827 E. Rogers, Houston, Texas 77026 (713-695-4321) appeared and stated that he was president of Liberty Cab Company and was present asking for Council to stop or delay the RFP issuance approval before the Transportation Committee which he understood would be voting Thursday to put out that RFP; that Liberty was the largest independent taxi cab company in Houston and had not seen a copy of the RFP; that when the idea of a shuttle service was first proposed it was referred to Aviation with instruction their industry be involved and they did project a plan to that Department but it kept being refused as they wanted the industry to use 15 passenger vans and their plan would involve participation by all companies and all drivers, it was all inclusive, but while the industry was working as a whole evidently Yellow Cab went on their own to Aviation and developed an exclusive contract to use the vans Aviation wanted all along; that it was modified for two companies but the fact was there were 104 taxi cab companies in Houston. Council Members Galloway, Khan, Holm and Garcia absent.

Council Member Berry stated that to his knowledge no one on the Transportation Committee had seen the RFP and it was not determined they would vote on it Thursday as it would be the first time they were seeing it; that Ms. Ross made reference twice to the Yellow Cab proposal and he asked the airport director point blank if Lee Fisher and Associates, their consultant, created it or did the Airport Department create it or did they put forward the Yellow Cab proposal and he said it was 100% their proposal not Yellow Cab's; that he was aware Yellow Cab submitted a proposal for share ride services, but he had not seen it and to his knowledge no one else at the Council table had seen it and it disturbed him to suggest they were doing what Yellow Cab told them to; and upon questions, Mr. Brady stated that they had not seen the proposal and he wondered why not and he came to ask for a two month delay before they voted on something he had not even seen; and Council Member Berry stated that was a fair point and they would have an opportunity to discuss it at the meeting but he wanted to be clear they did not always bring individuals who would be bidding on an RFP to Council and ask that they draft the RFP or agree to the RFP terms, in fact to the extent they had done that in the past the City had gotten in trouble for drafting an RFP with one company in mind so he was concerned that he suggested one company did do such because it would be a real problem, but he did not believe it did. Council Members Galloway, Holm and Garcia absent.

Council Member Quan stated that he would second what Council Member Berry indicated and the purpose of the meeting as he understood it was to receive their comments. Council Members Galloway, Holm and Garcia absent.

Upon questions by Council Member Edwards, Mr. Brady stated that they could make proposals on Thursday; that they had no written proposal yet, but as they discussed it theirs would not call for an RFP because it would be inclusive of all taxicab companies. Council Member Edwards stated that she would suggest he place his ideas in writing and present it to them at the meeting. Council Members Galloway, Holm, Garcia and Alvarado absent.

Mayor White stated that he gave clear directions to Mr. Hall and Mr. Vacar that he did not care what the economic interests were, but to figure out how to provide good service for people at the airport with incentive for people to make money, to do what was right for the traveling public and come up with a proposal. Council Members Galloway, Holm, Garcia and Alvarado absent.

Council Member Lawrence stated that she hoped he or someone from his company would make the committee meeting. Council Members Galloway, Holm, Garcia and Alvarado absent.

Mrs. Wini Brady, 15126 Forest Lodge, Houston, Texas 77070 (281-376-4958) appeared and stated that they were present today because they heard the proposed RFP was to go

before the committee to be voted on; that they worked to get appointments with the committee, but on such short notice this was the way to reach everyone; that years ago when the issue of shuttle came to light they had many meetings with Aviation and they promised them no change would be made until business resumed at pre-9/11 economic level and she had not seen any records to indicate that and she knew many were still struggling. Council Members Galloway, Holm, Garcia and Alvarado absent.

Mayor White stated that they did welcome her views in public forum and looked forward to them at the committee meeting. Council Members Galloway, Holm, Garcia and Alvarado absent.

Mr. J. W. Masseh, P. O. Box 742713, Houston, Texas (713-545-4777) appeared and stated that he was with Independent Cabs and they had discussed this issue of shuttle years before many of the current Council Members were present and they thought the issue was gone forever, but Yellow Cab had brought it back; that they wanted the chairman of the committee to invite them so they could discuss their opinions; and he hoped they would do something to benefit all; that there were too many shuttle busses and too many limousines. Council Members Galloway, Edwards, Holm, Garcia, Alvarado and Quan absent.

Mayor White stated that he would like to say to chairman Berry that a lot of the independent cab companies were struggling and timing was also an issue; that one part of the Aviation Department's motive might have been to avoid loss of a particular type of service, but he understood what they were saying, he was not misled and their views would be listened to carefully, but they were trying to give travelers alternatives and needed to figure out the right balance. Council Members Galloway, Goldberg, Edwards, Holm, Garcia and Alvarado absent.

Ms. Gabirela Garcia, 4139 Bellaire, Houston, Texas 77025 (713-798-7896) appeared and stated that there was many reasons to choose Houston for home and on October 11, 1996, Mayor Lanier proclaimed it a day in honor of someone whose philosophy was known as Falon Gong; and that was why she was disappointed to learn on July 10, 2004, someone was proclaimed as an honorary citizen of Houston; that many died who practiced Falon Gong and he oversaw it and that was why she was requesting the City consider revoking the honor. Council Members Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia and Berry absent.

Mr. Yan Sun, 3822 North Braeswood, Houston, Texas 77025 (713-661-8407) appeared and stated that recently the Mayor honored people significantly involved with Falon Gong practitioners and who had no respect for human rights with the title of honorary citizen and goodwill ambassador and it was shameful to all in Houston; that the titles should be revoked. Council Members Lawrence, Galloway, Goldberg, Edwards, Garcia and Berry absent.

Mr. Mike Roberson, 419 Travis, Houston, Texas 77002 (281-546-3156) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Galloway, Goldberg, Edwards, Garcia and Berry absent.

Mr. Sterling Shepherd, 1111 Pierce, Houston, Texas 77002 (713-659-1561) appeared and stated that he came to propose an ordinance so that discarding anything as small as a cigarette butt or larger would have a fine; and continued to discuss the ordinance and fines until his time expired. Council Members Lawrence, Galloway, Goldberg, Edwards, Garcia and Berry absent.

Mr. Gilert Bennett, 3402 Washington, Houston, Texas 77007 (713-864-8990) appeared, presented information and stated that he was an off duty firefighter, a captain in the Heights area at Station Six; that many thought homeland security involved only police, however, there was more to it than police protection; that there were three responders which were police, fire and ambulance divisions with two being from the Fire Department; that he discovered U. S. Representative Kevin Brady found \$9,000,000.00 for Houston, but even at a federal level money must come from the Texas Department of Public Safety and he was challenging each

Council Member to see if any funds came from them. Mr. Bennett compared chances of survival upon cardiac arrest with other cities such as New York, LA and Chicago; and further stated that Houston firefighters were in need of a pay raise and to financially ignore the firefighter who was dedicated to saving life and property and the first to respond to any terrorist attack was not the best policy for the City of Houston. Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia and Berry absent.

Council Member Lawrence thanked Mr. Bennett for coming and stated that a number of Council Members were looking at fire raises; that she had been visiting stations and appreciated him coming and expressing his views. Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia and Berry absent.

Mayor White stated that they would follow-up and he had raised an issue of the homeland security which he had also done; that they had a number of grants but he believed in efficiency and maybe should ask the Controller to look at it, but it went through Austin, Texas A & M and by the time it got to the City there was less money than when it came into the state and when dealing with homeland security it was wrong and they would use his article to help hunt that down; and he was working to get pay raises for those who had not received one. Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Quan Green and Berry absent.

Mr./Coach R. J. Bobby Taylor, 3107 Sumpter, Houston, Texas 77020 (202-FA3-4511) had reserved time to speak but was not present when his name was called. Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Quan, Green and Berry absent.

Ms. Mai Gong, 6431 Fannin, Houston, Texas 77030 (713-500-5446) appeared and stated that she was present asking that Council help her by writing a letter to the American Embassy in China to give her children a visa so they could come for treatment; that the doctor told her that her daughter had a serious problem and when police saw she allowed Falon Gong medication they went and threatened them; and her brother wrote and said her children and mother could not stay at home any longer; and she urged they help with a letter. Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Quan and Berry absent.

Mr. Randall Kallinen, 1314 Texas Avenue #600, Houston, Texas 77002 (713-236-8586) appeared and stated that he was president of the Houston Chapter of the American Civil Liberties Union; that he read Council approved the extension of the civility ordinance and according to research done by the American Civil Liberties Union the statute was unconstitutional and violated the equal protection clause; that they would like to work with the city and try and convince them it was unconstitutional rather than filing a lawsuit; and thanked Council Members Khan, Quan and Edwards for voting against it. Council Members Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia, and Berry absent.

Council Member Khan stated that he was concerned all would eventually end up in his district and his point was that all should be treated in the same fair manner no matter what area they lived in. Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia and Berry absent. (NO QUORUM PRESENT)

Upon questions by Council Member Quan, Mr. Kallinean stated that Austin had an area with lockers for the homeless and he would like to debate the matter with legal; and Council Member Quan stated that he tried reaching out to the homeless for their suggestions and he thought they could be more creative with new programs to work on intervention and not have such problems and would be glad to work with him. Council Members Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia and Berry absent.

Mayor White stated that he thought good lawyers were always amenable to receiving arguments and briefings of the other side. Council Members Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia and Berry absent.

Mayor White stated that fire inspectors were out to the motel and a FAST team was out all over ten days ago and he wanted citizens to know some of those motels did need to be closed down and they needed to keep good quality control even among good people on the after school programs; that also not all Council Members were present and he did not want the significance exaggerated.

Mayor White stated that he would be having a press conference on something he and the Police Chief considered routine, but certain buildings were found photographed and they may even be sitting in one of them and he wanted to do everything so citizens knew they were on top of security precautions and in touch with federal officials, but he wanted to mention it because he did not want panic or misrepresentation; that he would not let terrorists beat us by saying how we should live each day of our lives and would not be terrorized by them or give them publicity for every rumor coming down the pipe, but he wanted them to know they were on top of it. Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia and Berry absent. (NO QUORUM PRESENT)

Mr. Steven Williams, no address (no phone) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia and Berry absent. (NO QUORUM PRESENT)

Mr. Andre Wells, 16814 Fall Leaf Way, Houston, Texas 77058 (281-282-9646) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia and Berry absent. (NO QUORUM PRESENT)

Mr. Martin Wallen, 400 Greens Road, Houston, Texas 77060 (713-289-0587) appeared and stated that he was a 28 year old college graduate of Prairie View and certified as an audio engineer and was present because of the employment in Houston; that he felt he was not offered opportunities he had earned and felt he was representing many of his color being denied opportunities; and would like someone to address the issue. Mayor White, Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Khan, Holm, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Green, Mr. Wallen stated that he felt there was not necessarily a lack of jobs but felt the issue was affording people of his age and color jobs for the lifestyle they desired and had earned. Council Member Green stated that as a city they would like to help everyone get jobs, not just college educated; and before he left would like to get information so he would be able to follow-up with him. Mayor White, Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Richard Rothfelder, 3739 Jardin, Houston, Texas 77005 (713-220-2288) appeared and stated that one of his night jobs was Mayor of the city of Southside Place and this year president of the Harris County Mayor's and Council's Association and he had sent a letter to the City of Houston asking that they become more actively involved in that association starting with the next meeting Thursday, August 19, 2004, where the speaker would be the honorable Mayor White; that it was \$900.00 per year for all and they would eat for free and it was a great opportunity for them to network with fellow Mayor's, etc. Mayor White, Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Alvarado stated that she received her letter and was trying to rearrange her schedule. Mayor White, Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Khan, Mr. Rothfelder stated that there were several organizations and they would be holding a meeting in November between the members of the Harris and Galveston County Mayors and Councils Association and he hoped they would attend that also; that there were about 25 communities which were a part of the Harris County area, unfortunately they did not have good representation from the larger cities and he was trying to get active participation and it was good networking opportunities. Mayor White, Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Green stated that he thought it was a good idea as he served on the Houston Galveston Council and the dialogue was good and his staff was making arrangements for him to attend. Mayor White, Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Pam Curvey, 7607 Moline, Houston, Texas 77087 (713-847-8369) appeared and stated that she had been present the last four months complaining that the water was contaminated and she wanted clean water. Mayor White, Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) appeared and stated that he ran all law enforcement agencies in the world and continued expressing his personal opinions until his time expired. Mayor White, Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 52437, Houston, Texas 77052-4373 (713-203-7738) appeared and stated that he was the official U. S. President and continued expressing his personal opinions until his time expired. Mayor White, Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

At 4:32 p.m. City Council recessed until 9:00 a.m., Wednesday, August 11, 2004. Mayor White, Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, August 11, 2004

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, August 11, 2004, with Mayor Bill White presiding and with Council Members Toni Lawrence, Mark Goldberg, Ada Edwards, Addie Wiseman, M. J. Khan, Pam Holm, Adrian Garcia, Carol Alvarado, Mark Ellis, Gordon Quan, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Anthony Hall, Chief Administrative Officer, Mayor's Office; Mr. Arturo Michel, City Attorney and Ms. Marty Stein, Agenda Director and Mr. Jose Soto, Deputy Agenda Director present. Council Member Carol Mims Galloway out of the city on city business.

At 8:24 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:19 Mayor White reconvened the meeting of the City Council and stated that following the meeting he would make a statement relating to tax relief. Council Members Wiseman, Holm and Garcia absent.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 27

ACCEPT WORK - NUMBER 1

1. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,661,134.67 and acceptance of work on contract with **LEM CONSTRUCTION CO., INC** for Keegans Bayou Wastewater Treatment Plant Improvements, GFS R-0265-19-3 (4759-2) - 01.25% over the original contract amount **DISTRICT F – KHAN** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Members Wiseman and Holm absent. MOTION 2004-0890 ADOPTED.

PROPERTY - NUMBER 2

2. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcels AY3-100, AY3-101, AY3-102, AY3-103, AY3-104, AY4-001 and AY4-002, for the **PECH ROAD PAVING PROJECT from Long Point to Westview**, CIP N-0754-01-2 - **DISTRICT A - LAWRENCE** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Members Wiseman and Holm absent. MOTION 2004-0891 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBER 4

4. **AMEND MOTION #2004-346, 4/7/04, TO INCREASE** award to purchase additional Decomposed Crushed Granite for Parks & Recreation Department, awarded to **LINDIG CONSTRUCTION & TRUCKING, INC** for a total increase of \$25,994.00 - Grant Fund – was presented, moved by Council Member Green, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Member Wiseman absent. MOTION 2004-0892 ADOPTED.

ORDINANCES - NUMBERS 7 through 26

7. ORDINANCE consenting to the addition of 42.130 acres of land to **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 155**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Member Wiseman absent. ORDINANCE 2004-0833 ADOPTED.
8. ORDINANCE consenting to the addition of 103.90 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 220**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Member Wiseman absent. ORDINANCE 2004-0834 ADOPTED.
9. ORDINANCE establishing the east and west sides of the 1100 block of Cortlandt Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Member Wiseman absent. ORDINANCE 2004-0835 ADOPTED.
10. Omitted
15. ORDINANCE appropriating \$500,000.00 out of Airports Improvement Fund and approving and authorizing professional environmental consulting services contract between the City of Houston and **ENVIRONMENTAL CONSULTING SERVICES, INC** (Project No. 581);

- CIP A-0131 **DISTRICTS B - GALLOWAY; E - WISEMAN and I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Member Wiseman absent. ORDINANCE 2004-0836 ADOPTED.
20. ORDINANCE approving and authorizing first amendment to Waste Disposal Contract between the City of Houston and **SAGEMEADOW UTILITY DISTRICT** – was presented. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Member Wiseman absent. ORDINANCE 2004-0837 ADOPTED.
21. ORDINANCE appropriating \$14,287.50 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing developer participation contract between the City of Houston and **GUIDING LIGHT COMMUNITY DEVELOPMENT CORPORATION** for the Construction of an 8-inch water line along Dennis Street; CIP R-0802-20-03 - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Member Wiseman absent. ORDINANCE 2004-0838 ADOPTED.
22. ORDINANCE appropriating \$186,052.00 out of Street & Bridge Consolidated Construction Fund, \$474,148.00 out of Series E Commercial Paper Metro Projects Fund, \$150,650.00 out of Water & Sewer System Consolidated Construction Fund, and \$75,322.00 out of Drainage Improvements Commercial Paper Series F Fund as an additional appropriation under program management contract between the City and **ATSER, L.P.** (approved by Ordinance No. 99-0661), CIP N-0668-05-2 – was presented. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Member Wiseman absent. ORDINANCE 2004-0839 ADOPTED.
23. ORDINANCE appropriating \$140,926.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing construction management and Inspection Services Contract between the City and **ESPA CORP.**, for High Star Drive Paving and Drainage Improvements from Dairy Ashford to Kirkwood Road, CIP N-0694-01-3 (SB9115) - **DISTRICTS F - KHAN and G - HOLM** – was presented. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Member Wiseman absent. ORDINANCE 2004-0840 ADOPTED.
24. ORDINANCE appropriating \$149,233.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing contract between the City and **MENENDEZ-DONNELL & ASSOCIATES, INC** for Construction Management and Inspection Services for Water Lines Replacement in Fifth Ward, CIP S-0700-58-3 (WA10566-1) - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Member Wiseman absent. ORDINANCE 2004-0841 ADOPTED.
25. ORDINANCE awarding contract to **JOHN REED AND COMPANY, LTD.**, for Out Post Estates Drainage Improvements, GFS M-0126-S2-3 (SM5030); providing funding for contingencies relating to construction of facilities financed by the Stormwater Fund - \$593,000.00 Stormwater Fund - **DISTRICT A - LAWRENCE** – was presented. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Member Wiseman absent. ORDINANCE 2004-0842 ADOPTED.
26. ORDINANCE awarding construction contract to **SER CONSTRUCTION PARTNERS, LTD.** for Water, Sanitary Sewer, and Storm Drainage Systems to serve Section One of the Meadowcrest Subdivision; approving and authorizing assignment of the construction contract to **MARKET DEVELOPERS, L.L.C.**, CIP S-0800-A8-3 and R-0800-A8-3 - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Member Wiseman absent. ORDINANCE 2004-0843 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

PROPERTY

3. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY4-034, owned by 900 East First Street Associates, a California limited partnership, Ernest A. Kaplan, President/CFO, for the **SAN FELIPE STREET WIDENING PROJECT from Woodway at San Felipe**, CIP N-0565-02-3 - \$176,163.00 - **DISTRICT G – HOLM** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado.

Council Member Holm stated that she was going to tag the item, that she was concerned, that it appeared that the City had made an agreement with a company to buy land in order to expand a road, San Felipe, the road was already complete, it was designed and built and then it was found that it was built on top of somebody's property, that she thought somebody needed to be accountable, that she wanted to know why it could possibly happen, and Mayor White stated that he would ask Mr. Norman, Public Works, if there was some error by those professionals contracting with the City and if so had there been a claim on their Errors and Omissions policy and it not then why not. Council Member Wiseman absent.

Council Member Goldberg asked that his tag be added to the item.

ORDINANCES - NUMBERS 5 through 27

5. ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the Sanitary Control of the City's Water Well Sites; containing findings and other provisions relating to the subject; providing for penalties; providing for severability – was presented. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Member Wiseman absent. ORDINANCE 2004-0844 ADOPTED.
6. ORDINANCE amending Exhibit "A" of City of Houston Ordinance No. 90-1292 (as amended by City of Houston Ordinance No. 2004-684), to amend the Master Classification Ordinance to add, revise and/or delete certain classifications and amending Exhibit "B" of City of Houston Ordinance No. 1998-834 to increase pay grade midpoints by three (3) percent, substituting the amended exhibits as part of the current master classification listing; providing for severability – was presented. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Member Wiseman absent. ORDINANCE 2004-0845 ADOPTED.
11. ORDINANCE approving and authorizing amendment No. 7 to lease agreement between the City of Houston and **ARAMCO ASSOCIATED COMPANY** at George Bush Intercontinental Airport/Houston - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Member Wiseman absent. ORDINANCE 2004-0846 ADOPTED.
12. ORDINANCE authorizing the Houston Airport System to host the Airports Council International-North America (ACI-NA) annual conference scheduled in Houston September 19-23, 2004; authorizing expenditure of \$200,000.00 for the conference – was presented. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Member Wiseman absent. ORDINANCE 2004-0847 ADOPTED.
13. ORDINANCE appropriating \$757,000.00 out of Airports System Subordinate Lien Revenue Bonds Series 1998B AMT (535); authorizing purchase of land and improvements thereon out of Greenview Manor Section One, and J. C. Hayes Addition, McAuley Survey,

A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport, CIP A-0476-43.1 (Project 617); approving purchase and sale agreements with the owners of the land (Kenneth J. Mixon and Mary Darleen Mixon; and James Rutherford and Linda Rutherford) **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Member Wiseman absent. ORDINANCE 2004-0848 ADOPTED.

14. ORDINANCE appropriating \$468,000.00 out of Airport System Subordinate Lien Revenue Bonds Series 1998B AMT (535); authorizing purchase of land and improvements thereon out of Greenview Manor Section Two, and out of McAuley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport, CIP A-0476-44.1 (Project 617); approving purchase and sale agreements with the owners of the land (Cosme E. Ramirez and Delva V. Ramirez; Max Hendrick III; Charles Henry Moran, Pamela Annette Manen and Carlton Glenn Moran; and John M. Lugay and Martha A. Lugay) - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Member Wiseman absent. ORDINANCE 2004-0849 ADOPTED.
16. ORDINANCE appropriating \$5,000,000.00 out of Airports Improvement Fund and approving and authorizing amendment No. 3 to Professional Program Management Services contract between the City of Houston and **KELLOGG BROWN & ROOT, INC** at William P. Hobby Airport (Project No. 417) CIP A-0141 - **DISTRICT I – ALVARADO** – was presented, and tagged by Council Members Sekula-Gibbs and Alvarado. Council Member Wiseman absent.

Council Member Sekula-Gibbs stated that she wanted to comment about experiences that several coworkers had at Intercontinental Airport recently, that it was regarding the parking at the airport, the signage there could be clearer for the patrons who used the airport, particularly when they approached Terminal C, that the signage said daily parking but at Hobby Airport it was more clear, it said hourly and long term so they could make a differentiation and know where to go, that her request would be that whoever was managing the construction try to take some extra measures to make it user friendly, that the second point she had was when she returned from Mexico recently there were only three agents who were processing the thousands of return visitors, both citizens and non citizens who were picking up baggage at the International Terminal, that there may not be any alternatives to that because there was construction right now, but if there was any way for KBR or the Airport System directly to do something to facilitate the exit of passengers who were returning and had to go through customs. Council Member Wiseman absent.

Mayor White stated that as to the signage both the Agenda Director and Mr. Hall, who had been working a lot on airport issues, would convey that the signs should be right, and on the second point, Council Member Quan could be a lead on the whole bottleneck that they were experiencing because of Visa problems, that maybe they did need a special sub group.

Council Member Quan stated that he knew they had spoken about it, that he was in Washington two weeks ago and met with both their Senators regarding Homeland Security and expediting travel through the airports and the border, that last week he spent 2 hours with Mr. Vacar touring FIS because he had been concerned that it had taken so long to get that facility on track, that he thought they raised a good point regarding signage, that New South had a contract coming up tomorrow before Council Member Berry committee regarding parking and where people could move around the airport and the general manager met with him because of his complaints, that they did want to work with the Mayor in trying to have a meeting on what they could do to expedite travel through the airports, that the contract with KBR was for Hobby Airport and KBR worked on the air side not the land side of airport operations, that the air side was the trafficking of the planes that they did not see and the land side was where the passengers where and the people were moving.

Council Member Alvarado stated that she had tagged the item because she would like someone to visit with her, the contract started out at \$725,000 and now it was at \$22 million, that she wanted someone to visit with her and walk her through it.

17. ORDINANCE approving and authorizing second amendment to contract between the City of Houston and **PRICEWATERHOUSECOOPERS, L.L.P.**, for Professional Litigation Support Services; providing a maximum contract amount - \$150,000.00 - Property and Casualty Fund – was presented. All voting aye. Nays none. Council Member Galloway out of the city on city business. ORDINANCE 2004-0850 ADOPTED.
18. ORDINANCE approving and authorizing contract between the City and **SMYSER KAPLAN & VESELKA, L.L.P.**, for Professional Legal Services; providing a maximum contract amount \$300,000.00 - Property and Casualty Fund – was presented. All voting aye. Nays none. Council Member Galloway out of the city on city business. ORDINANCE 2004-0851 ADOPTED.
19. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **RECOVERY TECHNOLOGIES GROUP OF TEXAS, INC (formerly known as WASTE RECOVERY, INC)** for Used and Scrap Tire Disposal Services for Solid Waste Management Department (as approved by Ordinance No. 00-0001) – was presented. All voting aye. Nays none. Council Member Galloway out of the city on city business. ORDINANCE 2004-0852 ADOPTED.
27. ORDINANCE appropriating \$180,123.92 out of General Improvements Consolidated Construction Fund for Lyons Health Center Furnishings and Equipment, GFS H-0049-01-4 - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Member Galloway out of the city on city business. ORDINANCE 2004-0853 ADOPTED.

NON CONSENT AGENDA - NUMBERS 28 through 30

MISCELLANEOUS

28. MOTION to set a date not less than seven (7) days from August 11, 2004 to receive nominations for appointment to Position 5 and to the Chair of the **BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER ONE, CITY OF HOUSTON, TEXAS (ST. GEORGE PLACE)** to fill unexpired terms ending December 31, 2004 – was presented.

Council Member Khan moved to set Wednesday, August 18, 2004 to receive nominations for Position 5 and to the Chair of the Board of Directors of Reinvestment Zone Number One, City of Houston, Texas, (St. George Place), seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Galloway out of the city on city business. MOTION 2004-0893 ADOPTED.

29. MOTION to set a date not less than seven (7) days from August 11, 2004 to receive nominations for appointment or reappointments to Positions 4 through 7 to the **ETHICS COMMITTEE**, for two year terms to expire December 31, 2005 - was presented.

Council Member Khan moved to set Wednesday, August 18, 2004 to receive nominations for Positions 4 and 7 to the Ethics Committee, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Galloway out of the city on city business. MOTION 2004-0894 ADOPTED.

PROPERTY

30. RECOMMENDATION from Director Department of Public Works & Engineering, **TO AMEND MOTION #95-2152, 12/20/95**, which authorized the sealed bid sale of various parcels including Parcel S95-066, **TO APPOINT** one replacement independent real estate appraiser and one alternate independent real estate appraiser for said parcel - **APPRAISERS - DISTRICT A – LAWRENCE** – was presented.

Council Member Lawrence named Mr. Pat O'Connor as appraiser and Mr. Jim Petterson as alternate appraiser and moved approval of the recommendation, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Galloway out of the city on city business. MOTION 2004-0895 ADOPTED.

MATTERS HELD - NUMBERS 31 through 35

31. MOTION by Council Member Quan/Seconded by Council Member Khan to adopt recommendation from Finance & Administration Department for approval of payment of membership dues for the City of Houston membership in the **ALLIANCE FOR INTERSTATE 69 TEXAS** - \$30,000.00 - General Fund – (**This was Item 2 on Agenda of August 4, 2004, TAGGED BY COUNCIL MEMBERS ALVARADO and WISEMAN**) – was presented. All voting aye. Nays none. Council Member Galloway out of the city on city business. MOTION 2004-0896 ADOPTED.
32. RECOMMENDATION from Finance & Administration Department to award to **LION APPAREL, INC** for Apparel, Uniforms for Houston Airport System - \$751,902.85 Enterprise Fund – (**This was Item 10 on Agenda of August 4, 2004, TAGGED BY COUNCIL MEMBER QUAN**) – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Galloway out of the city on city business. MOTION 2004-0897 ADOPTED.
33. ORDINANCE altering and establishing maximum prima facie speed limits in certain zones in the City of Houston; containing findings and other provisions relating to the foregoing subject; providing a repealer; containing a savings clause; providing for severability; declaring certain conduct to be unlawful and providing a penalty – (**This was Item 21 on Agenda of August 4, 2004, TAGGED BY COUNCIL MEMBERS WISEMAN and SEKULA-GIBBS**) – was presented.

Council Member Wiseman offered a motion to amend Item No. 33 to reflect a 40 mph speed limit on Space Center Blvd. from Villagedale to Genoa Red Bluff, seconded by Council Member Alvarado.

A vote was called on the motion to amend Item No. 33. All voting aye. Nays none. Council Member Galloway out of the city on city business. MOTION 2004-0898 ADOPTED.

A vote was called on Item No. 33 as amended. All voting aye. Nays none. Council Member Galloway out of the city on city business. ORDINANCE 2004-0854 ADOPTED.

34. MOTION by Council Member Quan/Seconded by Council Member Alvarado to adopt recommendation from Finance & Administration Department, to **AMEND MOTION #2001-0903, 8/8/01, TO EXTEND** expiration date from August 15, 2004 to August 14, 2006, for Tools, Lawn, Garden and Striking Contract for Various Departments, awarded to **GROVES INDUSTRIAL SUPPLY** – (**This was Item 33 on Agenda of August 4, 2004, POSTPONED BY MOTION #2004-867**) – was presented. All voting aye. Nays none. Council Member Galloway out of the city on city business. MOTION 2004-0899 ADOPTED.
35. MOTION by Council Member Khan/Seconded by Council Member Quan to adopt recommendation from Finance & Administration Department, to award to **W. W.**

GRAINGER, INC for spending authority in an amount not to exceed \$1,025,205.33 to purchase Maintenance, Repair and Operating Supplies from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Various Departments General, Enterprise, Fleet Management, Parks Special Revenue and Building Inspection Funds – **(This was Item 34 on Agenda of August 4, 2004, POSTPONED BY MOTION #2004-868)** – was presented. All voting aye. Nays none. Council Member Galloway out of the city on city business. MOTION 2004-0900 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Mayor White stated that he wanted some advice from Council Members, and would involve everyone present at looking at alternatives to provide a high degree of quality to the health care coverage of City employees on reasonable terms, that last year the cost to employees and the City went up \$40 million and under the existing contract was projected to go up even more than that next year, that they did not want to cut basic City services or lay off employees in order to pay health benefits, that they had been looking at all features of the design of the plan and two minor changes were advised that were done in private business that would result in \$1 million savings per year, that one would be to say that they did not cover certain prescription antihistamines when there were over the counter antihistamines available, like Sudafed, a non sedative antihistamine, and number two was to discontinue the coverage of Viagra, which the City paid \$300,000 per year, that he wanted to mention that he wanted Council's feedback, that he wanted to be fair to employees, that they all needed to recognize that there were tradeoffs involved, that he wanted to apply high quality coverage, if they could filter the feedback and Council Member Ellis, if he did not mind, would be the repository for that input from City Council Members and if they thought they needed to hold a hearing they would hold one and did want to make sure they consulted, that employees paid a bunch of the benefits so they had the same stake as the Council did in making sure that they did not cover any unnecessary expense.

Council Member Sekula-Gibbs stated that as a way to possibly save more money there were other medicines that had been released by the FDA for the same use and the same indication as Viagra and they were coming forward and being released on a regular basis.

Mayor White stated that the issue was if taxpayers and the other City employees should be paying for the prescriptions, that he thought they needed to show discipline and put their priorities straight.

Council Member Khan stated that they had a townhall meeting last Friday regarding Home Land Security issues and he wanted to acknowledge and thank not only the attendants but the leadership on the issue by his colleagues Council Members Sekula-Gibbs, Quan and Garcia, that not only did they listen but gave good advice and solutions, that also members of the Houston Airport System, Customs and Border Protection, Transportation Safety Administration, the U.S. Attorney's Office and the FBI and all the people in the audience who attended the meeting. Council Member Edwards absent.

Council Member Khan stated that he wanted to thank Council Member Berry who held the tennis tournament last week.

Council Member Quan stated that he wanted to commend Council Member Khan for putting up the workshop on Homeland Security on Friday, that it was certainly well attended and there was a great deal of concern by people in the community about what was going on and their treatment, that he wanted to follow up to see how they could work more closely with the USCIS, Border and Customs Protection and all the other agencies who dealt with people traveling to and from the City and the immigrant populations.

Council Member Quan stated that on Tuesday they would have their regular meeting of the Neighborhood, Housing and Redevelopment Committee and Mr. Tinnermon would be giving a full presentation on where the LARA Program was now and what their plans were, that they had several meetings and he believed the funding was in place and they were ready to take action at this point, that those who were interested on how that program worked he encouraged them to attend, that they had also invited Mr. John Walsh, who had joined the Mayor's staff as Deputy in charge of Housing to come and introduce himself and speak of his vision and how he could work together with the committee and those issues.

Council Member Quan stated on Sunday the Indian Community would be celebrating Indian Independence Day at the Farm and Ranch Center off of I-10 at 3:00 p.m.

Council Member Berry stated that they had been doing a mystery shopper program, after completing the Library, on the 311 program, that he was growing increasingly concerned as they compiled that data, which they did not have in the final format yet, with the delay, occasioned when they called 311, it could get up to 8 or 10 minutes, that he wanted to make it very clear that he did not blame 311 for that because they took the tours and there was no question they were short staffed, that it was not that they were taking long smoke breaks or not doing their jobs, that they had done a great job of telling citizens to report things to them and put 311 on all of the City vehicles and people were responding, that he thought there was a reasonable hold time when they called anyone that was proper etiquette, that they needed to put more warm bodies over there and that may mean an allocation of their resources, that it was the Mayor's call.

Council Member Berry stated that they had a great tennis tournament on Friday and wanted to thank Mr. Carl Davis in their office for putting it together, that it was a fitting tribute to Ms. Zina Garrison, that they had several members of the media that participated, that they had first place ribbons for those Council Members who participated, Council Member Lawrence, Khan, Goldberg and Mayor White, that they had a second place ribbon for Council Member Garcia, who did not play but did show up, that he wanted to commend him as the Chairman of the ATA Gala and event, that they put on a wonderful week of festivities and it was a great opportunity to show case Houston and tennis.

Mayor White stated that as to the 311 situation, he wanted to thank Council Member Berry for the information he provided, and other Council Members, and recognized Mr. Hall to comment on the concrete actions that had been taken, and Mr. Hall stated that Council Member Berry was correct, they had very significant problems in the time it took to answer a call in to 311, it was a consequence of 9 retirements since April 2004, that in that department it took about 3 months to train a new person to answer calls and Ms. Bingham was working feverishly to get those 9 positions filled first and then train, they thought that within 2 weeks they would have the positions filled, they would have those people qualified by the latter part of September or early part of October, in the meantime she had been able to hire back on a part time basis 4 of the 9 people who left, to cut it down, that 311 was a little bit different than some operations, there was not enough elasticity, if they did not have the bodies then the wait time just spread, they had determined that even with those jobs filled they would not reach the optimum time they wanted, which was 30 seconds, the Mayor had approved their allocation for 8 more bodies in addition to the 9 to be replaced so that by the end of October they ought to be approaching the optimum 30 second wait, so he asked that people not stop calling, it was a good process and they thought they were a model for the rest of the Country, and thought that when they solved the problems, that he just described, that everybody would agree, that it was an efficient way to take complaints and get them routed for solution, and Council Member Berry stated that he was very happy with the direction in which 311 was headed with the people that were working there he just thought they needed more reinforcements. Council Member Quan absent.

Mayor White stated that the City was hiring for those positions, that he understood that Council Member Green was going to have a meeting concerning the progress they had made

on Municipal Court reform, a very larger percentage of calls on 311 were Municipal Court related and he questioned Ms. Bingham on whether or not there was additional information that could be provided, that with all the calls coming in it was a way for them to communicate with the citizens, there were a lot of citizens who did not know that they had the alternative to pay or get deferred adjudication, and Council Member Green stated that was what they had been working with, anything that kept people out of the building and allowed them to do as much as they could over the phone and through the internet, that was what they were working towards, that he had a lengthy meeting with the Municipal Judge on Monday and Mayor White asked if he could get a briefing from Ms. Bingham on the volume of the calls that went through 311, that now was the time for creative ideas if there was additional information that could be provided.

Council Member Ellis stated that they had a young man who passed away on Monday, August 9, 2004, from injuries he sustained on July 10, 2004 while serving in Iraq, his name was Captain Andrew Houghton, he was a Houstonian and graduate from Strake Jesuit College Preparatory School in 1997, that he wanted to make sure that they remembered all of the fallen soldiers, for the ultimate sacrifice they were giving to the Country and hoped that everyone throughout the City of Houston would keep him in their prayers over the next week.

Council Member Goldberg stated that he thought it was a keen observation of how lean the budget was and thought it was successful because he looked out in the Council Chamber and it was usually full of people out there who had agenda items and it was practically empty except for City employees so that was an indication of a very lean budget.

Council Member Goldberg stated that he wanted to bring everyone's attention to an election that was coming up, the vote for new Pension Board of Directors, that the deadline was August 13, 2004 and there were two positions he thought that current City employees could vote for, Position 3 and 4, there were 7 people running for Position 3 and 14 people running for Position 4, but there was no runoff, whoever got most votes was it so they should make their considerations very carefully and make their vote count, that it had to be postmarked by Friday, August 13, 2004.

Council Member Goldberg stated that he also wanted to congratulate India on their 57th Independence Day anniversary and also Pakistan was having an Independence Day Gala on Saturday and the Consul General of Pakistan would be there.

Council Member Goldberg stated that a staff member who had been with him since he got elected, Ms. Shannon Nobles was leaving their office but was only moving to Council Member Green's office, that she was joining his staff.

Council Member Goldberg stated that it was brought to his attention by the Mayor's Chief of Staff, Mr. Michael Moore, that in the current issue of Sporting News Magazine the City of Houston was ranked fourth as one of the best sports cities in the Country, that he thought it was a great tribute to the City.

Mayor White stated that Council Member Goldberg was right, the Council Chamber was a little less crowded, but they had so many outstanding volunteers, that all of the volunteers did such a great job; that his son asked him last night why were the other cities getting Community Prosecution Funds for Neighborhood Protection, that he had checked the website for the Department of Justice and was citing him the chapter and verse of what they should have done.

Council Member Wiseman stated that it had been a great summer for the Summer Page Program and asked the children present in the audience to stand and be recognized, that they were present today for a Summer Page party and all of the Council Members were invited to join them in the north conference room across the street, that they would be having games and prizes and refreshments for them to enjoy, that it had been a fun summer and she would like to look at opening the program for the entire City, that the program was educational and fun.

Council Member Wiseman stated that she wanted to thank members of Public Works, that as they knew they had a Kingwood Mobility Study meeting last week and the people in Public Works worked very hard on the project along with the consultant, Parsons Transportation, that Mr. Hugo Merlango, Mr. Rick Grohoskie, Mr. Gary Drabeck and Ms. Katherine Parker were absolutely exceptional, that the community was very pleased with the work that had been done and thought they should be highly commended, that she wanted to thank her colleagues who sent representatives on their behalf, Council Members Sekula-Gibbs, Berry and Green.

Council Member Wiseman stated that with respect to response time they had an issue with response time for Neighborhood Protection complaints, that she had a copy of some information about one location in the neighborhood of Skyscraper Shadows, they had a heavy trash issue where people put out heavy trash for collection way too early, it was certainly an eyesore and an issue they had been trying to tackle and a suspicion by the homeowners association that perhaps the homeowner was in the construction business, they had been trying to get the issue resolved since 1974 and had not been able to do so, that she would ask that they find a way to solve it.

Council Member Wiseman stated that they had an issue that was resurfacing again in the Clear Lake area, bandit signs, that with changes that had occurred in the department she was hopeful that they could again aggressively tackle the issue of bandit signs and would ask for assistance from Sign Administration on that problem in Clear Lake.

Council Member Green stated that he wanted to publicly welcome Ms. Shannon Nobles to his office, that she had been trained very well.

Council Member Green stated that he wanted to welcome back a former intern of his, Mr. Ksai Ksai who was present in the audience, that he had just gotten back from Ethiopia and Egypt.

Council Member Green stated that he wanted to tip his hat to a couple of City Departments who had done some outstanding work, the Parks Department, Convention and Entertainment and Municipal Channel, that they were going to be doing a show on the Municipal Courts on the different ways that people could access information in order to find out things about the Municipal Courts.

Council Member Edwards stated that yesterday they had the opportunity to build upon a relationship that they had been developing with Mr. Warner Irving, the Superintendent for that area and they met with 1,500 school teachers of that particular district area and had a very long and lengthy discussion with them about what they had been finding in the area, that the teachers were very exciting even to the point of looking to develop a whole curriculum regarding the history of the Chocolate Bayou area.

Council Member Edwards stated that she was very disappointed with what had been happening with the Crime Lab and DNA Lab, that she had a 6 pound review of nationally known forensic scientists, heads of labs and schools, who reviewed the George Rodriguez case if any of the Council Members would like a copy, that she would like to suggest that the City Council as a body put forth a resolution calling for the independent review and investigation of the whole episode and procedures and to ask the Governor, since they had people who could be on death row with that type of DNA evidence that they at least put a moratorium on the Death Penalty until it got cleared out, they should not kill anymore people until they got a handle on it, that they needed to have a DNA and Crime Lab that was viable and creditable. Council Members Green and Berry absent.

Mayor White stated that he wanted people to know that their elected officials and their public servants were taking issues of the quality of forensic lab very seriously, that it was the

first issue that he talked to the Acting Chief and the DA on his first day after being sworn in as Mayor, that they all recognized the importance of the confidence, of not only what occurred in the past, but the evidence that was presented to jurors today, that none of them would like to see a guilty person get off because of a lack of public confidence, that if Council Members were not aware then the citizens might not be aware of all the steps which had been taken to obtain certification by the end of the year and they probably needed that kind of report presented to Council in addition with a report on the results, done at great expense, on the 400 or so cases which had been independently tested where DNA evidence was a substantial factor, that they ought to have a report on that kind of thing. Council Members Green and Berry absent.

Council Member Lawrence stated that as they knew Fire Station No. 38 was getting a driveway replaced in front of it and those firefighters were going to Fire Station No. 5 on Hollister and she went to that station on Friday afternoon to see if there was anything that District A's office could do for them and they took her outside and showed her the limbs of an oak tree that were hanging over the bay that they could not even use the bay and for five years they had been trying to get the limbs cut, so on Monday morning she contacted Mr. Terrance Fontaine and expressed that consideration and Tuesday morning, within 24 hours, thanks to Building Services also, the limbs were cut and the ladder truck got in the driveway and that bay was back in use, that a big thank you to the Director and to Mr. Fontaine for the work that they did. Council Members Green and Berry absent.

Council Member Lawrence stated that KB Homes furnished a roof yesterday for an elderly couple, all the way down to the plywood. Council Members Green and Berry absent.

Council Member Lawrence stated that Saturday she was out at a simulated fire, a 19 story building at the energy corridor, that the 19th floor was smoked, it was a 3 alarm fire so they called a lot of stations in, that she wanted to thank Crescent, that they had Mr. Robert Halick and Mr. Charles Hutchins who used Crescent's Energy and their finances to give the firefighters a chance to perform in a situation that no one else in any other City had received that kind of community help, that they had done it in the Greenspoint area and were going to do it in the energy corridor also. Council Members Ellis, Green and Berry absent.

Council Member Lawrence stated that yesterday she got an email from Exxon Mobil asking where they could deliver a new refrigerator for a fire station in her district, that it was really neat to have the community step up and help people who worked for the City like the firefighters. Council Members Ellis, Green and Berry absent.

Council Member Garcia stated that thanks to the Mayor and his office they had another opportunity for free immunizations, that it would be taking place at Moody Park on Friday between 9:00 a.m. and 12:00. Council Members Ellis, Green and Berry absent.

Council Member Garcia stated that as to the Parks Department he wanted to offer his thanks and appreciation to Mr. Joe Turner who spent a few hours with him yesterday evening touring parks in District H and looking first hand at the issues that were confronting their parks, that the Veterans Memorial Park was really special and really set out the theme of what their Country was in right now, that this park was going to be on Mr. Turner's priorities to address. Council Members Ellis, Green and Berry absent.

Council Member Garcia stated that on Monday he had the opportunity to be at the ribbon cutting ceremony for the Delaney project, a series of affordable houses that were built in District H, in his neighborhood, and it was done in conjunction with Avenue CDC, that prior to that he had the opportunity to speak at a Youth Build graduation and it was exciting to hear that the young men graduating from the Harris County Youth Village would be participating with Avenue CDC in restoring homes in District H, that he would get a list of those projects and let his colleagues know. Council Members Ellis, Quan, Green and Berry absent.

Council Member Garcia stated that yesterday he had the opportunity to visit with Ms. Velma Laws and some community business leaders on issues that were of concern to the business community in terms of getting businesses certified in a more rapid manner and wanted to thank Ms. Laws for sharing her challenges and commitments and leadership in addressing those issues that affected that process and also for welcoming input and dialog with those folks. Council Members Ellis, Quan, Green and Berry absent.

Council Member Garcia stated that Ms. Kym King and the Mayor's Office of Disabilities was battling a thousand, that a dear friend of his who was a paraplegic and happened to live in his district had been having difficulty almost to the point that Metro could not service her, they could not get into her driveway, the Office of Disabilities assessed that situation and had been working with Public Works to qualify her situation and apparently it seemed to be all working and if he remembered the memo right it seemed like it was 18 days turn around time for that particular issue, that he wanted to commend the Mayor and in particular the Office of Disabilities and Ms. King and her staff. Council Members Quan, Green and Berry absent.

Mayor White stated that if his recollection of a memo from Metro was correct they would make sure that if the old Metro lift vans were more valuable to the community than salvage value somewhere that they make good use of those because he thought there were some volunteer organizations that could also provide some services. Council Members Quan, Green and Berry absent.

Council Member Garcia stated that his daughter Ms. Nina Garcia was present for the day to accompany him and helping him through the day. Council Members Quan, Green and Berry absent.

Council Member Holm stated that last Friday she received an email that she thought they had all received from the E.B. Cape Center which said there was a class offered yesterday, the Art of Listening, sponsored by the Public Works and Engineering Department and open to all City of Houston employees, a four hour class, that during the budget process the Council was very clear that they believed wholeheartedly in job training that was necessary for the performance of good jobs, however they did not think that the taxpayer dollars should be subsidizing those learning experiences and taking the people away from their jobs, that additionally the multi million dollar area was funded by Public Works and they had just raised water and sewer fees and had just received the CIP and there was not enough money for street reconstruction, storm sewer projects needed and it took almost a week to get water line projects, that she was having a really hard time justifying to their taxpayers that the class was an appropriate use of their money, that she was asking the Mayor to help them relay that message. Council Members Quan, Green and Berry absent.

Council Member Holm stated that in the CIP she really applauded the M0126 that had been designated so structural flooding could be remedied quickly and help people, that it was a good way for them to evaluate and use and apply some of that funding and was most appreciate to Public Works for that. Council Members Quan, Green and Berry absent.

Council Member Holm stated that her office really applauded 311, that since January, District G alone had 11,960 calls to 311, that in June and July alone they had 3,800 calls and Ms. Angela Young in her office had gone through the whole training and had spent 3 or 4 days with them and they monitored it closely and responded to it, but what she had found recently was that there was only a 2% outstanding rate on the 311 calls and what she had found was that all it indicated was that basically those calls had been transferred to two other databases, of which they did not have access to, and she thought it would be really helpful for their office to have access to those databases so they could help their constituents know what the status of those calls were and how they were responding.

Mayor White stated that he thought it was the Fiscal Affairs Committee that was looking at

the Cape Center and thought the general principle should be that they were going to have a business like approach to providing better services for the dollars, that number one, employee training was important, and number two, for the Cape Center customers, who were the various departments, should pay for the cost of the service. Council Members Quan, Green and Berry absent.

Council Member Alvarado stated that they were having a District I State of the District Breakfast with their precinct judges and community and civic club leaders and wanted to invite her colleagues, that it was on Saturday from 9:00 a.m. to 11:00 a.m. at Drexler's Bar-B-Que, 2300 Pierce, that she wanted to thank her staff for all of the work in putting that together. Council Members Quan, Green and Berry absent.

Council Member Alvarado stated that she appreciated the comments by her colleague Council Member Edwards, that they along with Council Member Garcia were with Senator Rodney Ellis, that she agreed with her on the importance of having the investigation, that she was not sure if it needed to be done in the form of a resolution but thought some of those things could come through the direction of the Mayor and the Police Chief but the bottom line was that it needed to be addressed. Council Members Wiseman, Quan, Green and Berry absent.

Council Member Alvarado stated that her niece was present, Ms. Kristin Alvarado, who had been spending the last two days with her and also wanted to thank Ms. Priscilla Alvarado who was not present today but it was her third summer of volunteering in their office and she came from a long line of volunteers, she was the niece of Senator Mario Gallegos and her dad was very active with the firefighters union, Local 341, so she was certainly learning the value of volunteering. Council Members Wiseman, Quan, Green and Berry absent.

Council Member Alvarado stated that she wanted to pay respects to a constituent of her's, Mr. Joaquin Cerda, who passed away this week, that he had two daughters who worked for the City, Ms. Maria Cerda, who worked in Planning and Ms. Cynthia Cerda Perez, who worked in the Public Works Department, that her condolences went out to their family, and also Mr. Roberto Zenteno, who was a trumpet player, that many of them may know his daughter, Ms. Norma Zenteno, who played throughout the City, that Mr. Zenteno was 76 years old and once toured with Perez Prado who was known as the King of Mambo back in the 1950's, that he would be missed and the past week Channel 13 paid a tribute to him on Viva Houston, that his family continued to be very active in the music business and he was survived by his wife Elsa, daughter Norma and four sons, Javier, Robert Jr., Ernesto and David, who were all involved in music and entertainment, and Council Member Alvarado asked for a moment of silence for both of those individuals. Council Members Wiseman, Quan, Green and Berry absent.

Council Member Sekula-Gibbs stated that school would start very quickly and was asking everyone to be safe and slow down in school zones, that it was very important that they put their children first when they were driving. Mayor White and Council Members Wiseman, Quan, Green and Berry absent.

Council Member Sekula-Gibbs stated that for anyone interested in locations of clinics where services could be provided to contact her office and get those lists, that they had, through the help of Gateway to Care, a list of City, County and local non-profit clinics and would be pleased to provide those for constituents, that the office number was 713-247-2005. Mayor White and Council Members Wiseman, Quan, Green and Berry absent.

Council Member Sekula-Gibbs stated that she wanted to thank her summer interns, particularly Mr. David Caldwell, who had been on the staff for several months and was returning to his studies at Columbia University and had done a splendid job for them, in addition Mr. Allen Oh, who would be returning to Texas A&M and Ms. Rachel Medder, who would be going to Texas Tech. Mayor White and Council Members Goldberg, Wiseman, Quan, Green and Berry absent.

Council Member Sekula-Gibbs stated that she wanted to congratulate Indian Americans and Pakistani Americans on celebrating their country of origin 57th independence, India on August 17, 2004 and Pakistan on August 14, 2004. Mayor White and Council Members Goldberg, Wiseman, Quan, Green and Berry absent.

Council Member Sekula-Gibbs stated that on Saturday they would be having a de-tag program, which was an opportunity for young people who had tattoos on their body and were no longer thrilled with those tattoos to come to the Judson Robinson Community Center at 2020 Hermann Drive and if they qualified and able to meet the guidelines they could have the tattoos removed, that they could call the Harris County Medical Society in determining if they qualified at 713-524-4267, that it was a program that had been going on for many years. Mayor White and Council Members Goldberg, Wiseman, Quan, Green and Berry absent.

Council Member Khan stated that the Independence Day festivities that were going on for the communities of India and Pakistan of Houston, on August 15, 2004 at the Farm and Ranch Club the Indian American Community would hold a freedom fest and they were all invited, from 9:00 a.m. to 6:00 p.m., that the Pakistani American Community had programs going on the whole month of August, on Friday August 13, 2004 there would be a poetry reading session and would be at the Funplex on Beechnut in the evening, that on August 14, 2004 from 12:00 p.m. to 3:00 p.m. there would be a flag raising ceremony via the Pakistani Community on Bissonnet and Kirkwood at the location where their new community center would be built and it was in District F and they invited everyone to be there, that on the evening of August 14, 2004 they would have a Freedom Gala at the Hyatt Regency and hoped that all of the Council Members received an invitation and would be there, that on August 15, 2004 the Pakistani American Community would be celebrating a Freedom Concert at the Funplex and on August 21, 2004 there would be a Freedom Festival at the Reliant Center, it would be from 11:00 a.m. onward. Council Members Goldberg, Edwards, Quan, Sekula-Gibbs, Green and Berry absent.

Mayor White stated that an important joint Fiscal Affairs Committee and Governance Committee meeting would be at 2:00 p.m. today and following the Council Committee they were welcome to remain for the conference they would have to discuss the administration's position on a new Charter amendment on real property tax relief. Council Members Goldberg, Edwards, Wiseman, Quan, Sekula-Gibbs, Green and Berry absent.

There being no further business before Council, the City Council adjourned at 11:00 a.m. Council Member Galloway out of the city on city business. Council Members Goldberg, Edwards, Wiseman, Quan, Sekula-Gibbs, Green and Berry absent.

DETAILED INFORMATION ON FILE IN THE OFFICE OF THE CITY SECRETARY.

MINUTES READ AND APPROVED

Anna Russell, City Secretary